

## CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/727,120 is being electronically transmitted to Technology Center 3763, via EFS-WEB, on July 9, 2008

/Kevin G. Rooney/  
Kevin G. Rooney, Reg. No. 36,330

July 9, 2008  
Date

## **PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen P. Moenning  
Serial No.: 10/727,120  
Filed: December 3, 2003  
Examiner: Quynh-Nhu Hoang Vu  
Group Art Unit: 3763  
Confirmation No.: 4766  
For: MINIMALLY INVASIVE MEDICAL APPARATUS FOR  
DISPENSING A BIOLOGICALLY ACTIVE COMPOUND AND AN  
ASSOCIATED MEDICAL PROCEDURE FOR DISPENSING A  
BIOLOGICALLY ACTIVE COMPOUND  
Atty. Docket No.: IPT-04B

Cincinnati, Ohio 45202

July 9, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

1. This is a petition for an extension of time to respond to the non-final Office Action mailed on January 9, 2008 for a period of three (3) months.
2. Applicant is
  - [X] a small entity
  - [ ] other than a small entity
3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.
  - (a) X Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>(months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
___ one month	\$ 120.00	\$ 60.00
___ two months	\$ 460.00	\$230.00
X three months	\$1,050.00	\$525.00
___ four months	\$1,640.00	\$820.00
___ five months	\$2,230.00	\$1,115.00

Fee \$525.00

\_\_\_ An extension for \_\_\_\_\_ month has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

4. Amendment

[X] is being filed herewith  
[ ] has been filed on [ ]

5. Fee Payment

[X] **See electronic fee calculation sheet.**

6. [ ] Charge extension fee of \$\_\_\_\_\_ to Deposit Account No. 23-3000.

7. [X] Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/Kevin G. Rooney/

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